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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/602,525

06/24/2003

Ulrich Bantle

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1764

42419

7590

12/07/2005

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EXAMINER

BOSWELL, CHRISTOPHER J

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/602,525

Applicant(s)

BANTLE ET AL.

Examiner

Christopher Boswell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-12 and 14-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-12 and 14-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7-12, and 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,516,640 to Jacobs et al., in view of U.S. Patent Number 6,539,756 to Bartels et al.

Jacobs et al. discloses the invention substantially as claimed. Jacobs et al. discloses a lock (10) including a bolt (40) that can be displaced by an actuating element (14) between an open position and a locking position, wherein a blocking piece (50 and 54) which blocks the actuating element in the locking position is assigned to the actuating element and wherein the blocking piece is moved from the locking position into the opened position by a solenoid (18), the lock having the blocking piece movable out of the opened position into the locking position by a manually operable operating part (58; column 8, lines 61-65), as in claim 1. However, Jacobs et al. does not disclose a switching element that emits a signal when the blocking piece reaches the locking position or transitions from the open position to the locking position. Bartels et al. teaches of a lock with a bolt (22) that is displaced by an actuating element (25) where a blocking piece (28) blocks the actuating element and a switching element (10) that emits a switching signal to confirm when the blocking piece reaches the locking position or transitions

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from the opened position into the locking position (column 4, lines 4-12), and a code input device (the master control system, column 4, lines 4-12) that processes the switching signal, as in claim 18 in the same field of endeavor. It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate a switch, as taught by Bartels et al., into the lock device, wherein the switch would be activated by the actuator, as in claim 7 and 14, when the blocking piece moves into the locked position, or transitions from the open position to the locked position, where the switch would be operated by the operating part in the lock device of Jacobs et al.; therefore, by placing the switch and code input device into the locking device of Jacobs et al. the switch would be operated by the operating part in order to emit a signal notifying the location of the blocking piece.

Jacobs et al. also disclose the operating part (58) having a lever (22), which moves the blocking piece from the opened position into the locking position by a key element (column 8, lines 55-58), as in claim 2, wherein the blocking piece is a part of an actuator (20) which in the opened position is maintained under a spring bias (56) against a permanent magnet (magnet of the solenoid), and the actuator is lifted off the permanent magnet by the lever (column 4, lines 42-53), as in claim 3, and where the blocking piece is a part of an actuator (20) which, in the locking position, is maintained against a permanent magnet (magnet of the solenoid), and the actuator (20) is movable from the opened position to the locking position by a lever (22) against a force of a spring (56), as in claims 4 and 11.

Jacobs et al. further disclose the operating part being maintained under spring tension (56) in an initial position associated with the opened position of the lock, as in claims 5 and 12,

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wherein the actuator (20) is an armature of the solenoid (column 4, lines 25-28), as in claims 8 and 15.

Jacobs et al. additionally disclose the actuating element being rotatably seated around an axis of rotation in a lock housing (figures 2-3), and the actuating element has a receptacle (48) for the blocking piece (50 and 54), which forms a stop in a circumferential direction on at least one of two sides of the inserted blocking piece (figures 2-5), as in claims 9 and 16, and where the locking position of the actuator blocks a displacement in a direction toward the actuating element (figures 2-5), as in claims 10 and 17, as well as by pressing the key element operates the operating part to move the blocking piece from the opened position into the locking position (column 8, lines 55-65), as in claim 19.

Response to Arguments

Applicant's arguments filed September 28, 2005 have been fully considered but they are not persuasive. Regarding the argument that there is no suggestion or motivation for a reason to incorporate the microswitches of Bartels et al., the examiner respectfully disagrees. As clearly stated in the prior Office action dated June 27, 2005, the examiner points to incorporating the microswitches of Bartels et al. into the lock device of Jacobs et al. for the purpose of signaling the location of the steering wheel lock, and thus emitting a signal to notify the location of the blocking piece.

Regarding the argument that Jacobs et al. does not disclose using a combination of a solenoid and a manual disengagement lever, the examiner respectfully disagrees. Jacobs et al. discloses the pawl, i.e. blocking piece, can also (emphasis added) or instead be manually

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disengaged from the lock bolt by a user-accessible and manipulatable control such as a handle, knob, lever, or other device connected to the pawl (column 8, lines 61-65). Therefore, Jacobs et al. explicitly discloses using manual disengagement either individually or in combination with the solenoid.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (571) 272-7054. The examiner can normally be reached on 9:00 - 4:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CJB *CB*
December 1, 2005


BRIAN E. GLESSNER
SUPERVISORY PATENT EXAMINER